

APPEAL NO. 040014
FILED FEBRUARY 17, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 8, 2003. The hearing officer decided that: (1) the compensable injury of _____, extends to and includes left knee anterior cruciate ligament damage, left knee lateral meniscus tear, and left knee patellar chondromalacia; and (2) the respondent (claimant) had disability from December 13, 2002, through the date of the hearing. The appellant (carrier) appeals these determinations on sufficiency of the evidence grounds. The claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in making the complained-of determinations. The determinations involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **INDIANA LUMBERMENS
MUTUAL INSURANCE COMPANY** and the name and address of its registered agent
for service of process is

**EDDIE STAFFORD
1417 WEST MAIN SUITE 104
CARROLLTON, TEXAS 75006.**

Edward Vilano
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Gary L. Kilgore
Appeals Judge